

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of Robert L. FITZSIMMONS, Jr. Examiner: Mahmoud Fatahi Yar

Serial No.: 09/881,216 Art Unit: 2629

Filed: June 15, 2001 Confirmation No.: 5137

For: **METHODS AND SYSTEMS FOR OPERATING A DISPLAY FACILITY OR  
OTHER PUBLIC SPACE**

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**APPEAL BRIEF UNDER 37 C.F.R. § 41.37**

Appellant appeals from the final rejection dated December 22, 2006. The Notice of Appeal and the Pre-Appeal Brief Request for Review were filed on February 6, 2007. The Appellant respectfully submits the following Appeal Brief under 37 C.F.R. § 41.37 in response to the Notice of Panel Decision from the Pre-Appeal Brief Review dated April 12, 2007.

The time period for filing this Appeal Brief extends to May 14, 2007 (May 12, 2007 falling on a Saturday). Accordingly, the Appellant does not believe that extensions of time are required beyond those that may otherwise be provided for in documents accompanying this paper. If additional extensions of time are necessary, however, to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefore are hereby authorized to be charged to our Deposit Account No. 50-1283.

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**I. REAL PARTY IN INTEREST**

The real party in interest is the assignee, Vulcan, Inc., a corporation duly organized under the laws of Washington, and having its principal place of business at 505 Fifth Avenue South, Suite 900, Seattle, Washington 98104.

## **II. RELATED APPEALS AND INTERFERENCES**

Appellant is not aware of any pending appeals, interferences, or judicial proceedings that may be related to, directly affect, or be directly affected by or have a bearing on the Board's decision in the present appeal.

### **III. STATUS OF CLAIMS**

Claims 1-20, 26 are cancelled.

Claims 21-25 and 27-41 are pending.

Claims 21-25 and 27-41 are rejected.

Claims 21-25 and 27-41 are appealed.

**IV. STATUS OF AMENDMENTS**

The Appellant has not filed any amendments subsequent to the final rejection dated December 22, 2006.

## **V. SUMMARY OF CLAIMED SUBJECT MATTER**

The patent application discloses methods and systems for allowing visitors of public spaces, such as museums, retail stores and/or convention centers, to select and receive detailed information about items located within the public space when the visitor is outside of the public space after having visited the space. Broadly, the patent application discloses receiving an input related to an element within a public space from a visitor who is within the public space and sending supplemental information, based on the received input, to the visitor when the visitor is outside of the public space. A concise explanation of the subject matter defined in independent claims 21, 29 and 34-36, each of which are involved in the appeal, follows.

Claim 21 is an independent claim directed to a method of supplementing the experience of a visitor to a public space that includes a set of elements. Such spaces can include, for example, museums, retail stores, sporting arenas and/or open air exhibits. Specification paragraph [0025]; Fig. 4. The specification discloses that elements within a public space can include items such as static objects, video displays and/or merchandise. Specification paragraph [0025]. The claimed method includes receiving an input relating to one of the public space elements from a visitor when the visitor is in the public space. The input includes a unique identifier associated with the visitor. Specification paragraph [0037]. A request for supplemental information is received from the visitor when the visitor is outside of the public space. Such a request can be received, for example, via the internet. Specification paragraph [0047]. Based on the received input, supplemental information is then sent to the visitor when the visitor is outside of the public space.

The specification discloses that the input can be received from the visitor by a user selection device 100. Specification paragraph [0027]; Fig. 1. The user selection device 100 can include a touch screen 364 (see Fig. 3), various input keys 115, 130, 135, etc. (see Fig. 1) and/or a bar code scanner for receiving input from the visitor. Specification paragraphs [0031] and [0037]; Figs. 1 and 3. In some embodiments, the input is recorded and associated with a unique user profile, which is then used to determine the content of the supplemental information to be sent to the visitor when the visitor has left the public space. Specification paragraphs [0067] and [0068]. In this manner, the disclosed method allows a visitor's experience to be extended beyond the boundary of the public space.

Claim 29 is another independent claim and is directed to a method for providing information about a public space element to a visitor after the visitor has left the public space. The method includes transmitting electronically, within the public space, information about a set of public space elements. The transmitted information includes selection information that designates one or more pieces of supplemental information about one or more of the public space elements. The specification discloses that the information can be transmitted to a portable interface device 300 via one of a plurality of RF antennae 438 included within the public space 400. Specification paragraph [0036]. The information, which is displayed to the visitor via the portable interface device 300, can include context sensitive menu selections, help functions, audio clips and/or other information corresponding to the public space elements. Specification paragraph [0039]; Fig. 4.

The method then includes receiving within the public space an electronic response to the transmitted information. The electronic response includes visitor selection information associated with one of the pieces of supplemental information and with address information



related to the visitor (e.g., an identification number associated with the visitor). The specification discloses that the visitor can provide such a response, for example, via input keys and/or a touch screen located on the portable selection device 100. Specification paragraph [0031]; Figs. 1 and 3.

The method then includes receiving, from the visitor when the visitor is located outside of the public space, an electronic request for the piece of supplemental information. As described above, such an electronic request can be received, for example, via the internet. In response to the electronic request, supplemental information related to one of the plurality of public space elements is retrieved. Such supplemental information can include, for example, more detailed information relating to those items selected by the visitor's response. Specification paragraph [0047].

The method then includes sending electronically the retrieved supplemental information to a communications network extending beyond the public space using the address information related to the visitor. The specification discloses that the supplemental information can be sent beyond the public space to a library workstation 560 located beyond the public space or by the world-wide web (WWW) to other computers located anywhere in the world. Specification paragraph [0047]; Fig. 5.

Claim 34 is a third independent claim and is directed to a system configured to provide to a visitor information about an element in a public space after the visitor has left the public space. The system includes a portable selection device, an internal information transmission system, a database in communication with the internal information system, and an external information transmission system. In some embodiments, the portable selection device 100 can be a handheld device configured to send and receive information. Specification paragraph [0027]; Fig. 1. In

other embodiments, the portable selection device 300 includes an IR receiver 370 configured to send and receive information. Specification paragraph [0030]; Fig. 3.

The internal information transmission system is configured to receive an input from the portable selection device. The input includes a unique identifier associated with the visitor and an identifier associated with an element within the public space. The specification discloses that the internal information transmission system, which is located within the public space, can include an IR transmitter 434 configured to send information to and receive information from the portable selection device 300. Specification paragraph [0035]; Fig. 4. In some embodiments, the internal information transmission system includes an RF LAN 530 configured to upload data to and download data from the portable selection device 300. Specification paragraph [0047]; Fig. 5. In this manner, a bi-directional data path between the portable selection device and the internal information transmission system is formed, as recited in claim 34.

The specification discloses that one or more databases are in communication with the internal information transmission system. For example, the IR transmitters 434 are in communication with an exhibit server 444. Specification paragraph [0036]; Figs. 4 and 5. Additionally, a user profile database 454 is in communication with the internal information transmission system via a communications network 460. Specification paragraph [0046]; Fig. 4 and 5.

The external information transmission system is in communication with the database and a data network external to the public space. The data network can be, for example, a communications network 460 configured to connect a variety of servers and databases and/or a fast communications network 550 configured to connect the servers and databases to a world-wide web site station 570. Specification paragraph [0046]; Fig. 5. The external information

system is configured to send the information included within the database from the database to the data network in response to the input received from the portable selection device and a request from the visitor when the visitor is outside of the public space.

Claim 35 is a fourth independent claim and is directed to a method for supplying supplemental information about a public space element to a visitor after the visitor has left the public space. The method includes receiving an electronic request for first information about a public space element from a visitor in the public space. The first information is then transmitted electronically to the visitor in the public space. A supplemental information selection is received from the visitor in the public space. Visitor identification information, such as a unique identification number or an e-mail address, is associated with the supplemental information selection. An electronic inquiry is then received from the visitor after the visitor has left the public space. The claimed method also includes responding to the electronic inquiry with supplemental information selected based on the received supplemental information selection associated with visitor identification information corresponding to the visitor from whom the electronic inquiry was received.

As discussed above, the specification discloses that the electronic request for first information can be received from a visitor in the public space via a user selection device 100. Specification paragraph [0027]; Fig. 1. In some embodiments, the first information is transmitted to the visitor by a portable interface device 300, which is configured to retrieve a file from an internal hard disk 336 in response to the electronic request. Specification paragraph [0042]; Fig. 3. In other embodiments, the first information is transmitted to the portable interface device 300 by an IR transmitter 434 located within the public space. Specification paragraph [0035]; Fig. 4.

The specification discloses that in some embodiments, upon receiving the first information, additional menu options are presented to the visitor to allow the visitor to select supplemental information. Specification paragraphs [0039] and [0042]. The supplemental information request is received from the visitor via a user selection device 100, as discussed above. For example, the user selection device 100 can include various input keys for receiving input from the visitor. Specification paragraph [0031]; Fig. 1. In some embodiments, the supplemental information requests (i.e., the keystrokes or bookmarks) are recorded and associated with a user profile. The user profile can include such items as a unique user identifier. Specification paragraphs [0067] and [0068].

The specification discloses that electronic inquiries can be received from the visitor after the visitor has left the public space by a library workstation 560 and/or a remote computer connected to the world-wide web 570. Specification, paragraphs [0047] and [0068]; Fig. 5. Such electronic inquiries can be, for example, requests for more information about what is on display within a museum. The specification discloses that such electronic inquiries are responded to by providing supplemental information based the recorded keystrokes and/or bookmarks (i.e., the supplemental information selections) and the corresponding visitor identification. Specification paragraph [0068].

Claim 36 is a fifth independent claim and is directed to a method of supplementing an experience of a visitor to a public space. The method includes receiving an electronic input relating to a public space element from a visitor when the visitor traverses the public space. Next, the received input is associated with identification information associated with the visitor, such as a unique visitor number. An electronic request for additional information, which includes the visitor identification, is then received from the visitor after the visitor has left the

public space. Finally, in response to the electronic request for additional information, a response is transmitted, the response being based in part on input received from the visitor when the visitor was traversing the public space.

As described above, the specification discloses that the input can be received from the visitor by a user selection device 100. In some embodiments, the input is recorded (as keystrokes and/or bookmarks) and associated with a unique user profile, which is then used to determine the content of the additional information to be sent to the visitor when the visitor has left public space. Specification paragraph [0067].

**VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL**

Whether claims 21-25 and 27-41 are unpatentable under 35 U.S.C. § 103(a) over U.S. Patent No. 6,169,498 to King et al. ("*King*") in view of U.S. Patent No. 6,009,410 to LeMole et al. ("*LeMole*").

## VII. ARGUMENT

The final office action contained a single rejection that served as a basis for rejecting all of the pending claims, that is the rejection of claims 21-25 and 27-41 under 35 U.S.C. § 103(a) as identified above. To establish a *prima facie* case of obviousness under 35 U.S.C. § 103(a) by combining references, the Examiner must show sufficient motivation or teaching to combine or modify the references<sup>1</sup>, a reasonable expectation of success resulting from the combination or modification, and that the references as combined teach all of the claim limitations. *See* MPEP § 2143. In this instance, the final rejection is improper because Examiner has failed to establish a *prima facie* case of obviousness for at least the reasons that: 1) there has been no showing of sufficient motivation or teaching and/or apparent reason<sup>2</sup> to combine *King* and *LeMole*, and 2) neither *King* nor *LeMole*, alone or in proper combination, suggest or disclose all of the claim limitations.

### A. *King* and *LeMole* are not properly combinable

Claims 21-25 and 27-41 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *King* in view of *LeMole*. *King* is directed to a portable device used to receive location-specific messages based on the presence of the portable device within a facility. For example, *King* discloses that such a portable device (e.g., a personal digital assistant) can receive a signal

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<sup>1</sup> Although the Supreme Court recently rejected a rigid application of the “teaching, suggestion, or motivation” test, the analysis of whether a “teaching, suggestion, or motivation” exists to combine references is still applicable as a helpful insight to the obviousness analysis. *KSR Int’l Co. v. Teleflex, Inc.*, No. 04-1350, slip op. at 14-15 (U.S. April 30, 2007).

<sup>2</sup> In view of the recent decision by the Supreme Court decision in *KSR Int’l Co. v. Teleflex, Inc.*, the arguments presented herein include an analysis of whether there was an apparent reason to combine known elements of *King* and *LeMole*. *KSR Int’l Co.*, slip op. at 14; *see also* Memorandum from Margaret A. Focarino to the Technology Center Directors (May 3, 2007) (on file at the United States Patent and Trademark Office).

from a radio beacon located within a site (e.g., a museum) and prompt the user to select a location-specific message stored in the memory of the portable device. Column 5, Lines 19-31. *LeMole* is directed to a method of providing customized advertising via the World Wide Web to a user based on the user's demographic data and areas of interest. Column 4, Lines 29-31.

In the Final Office Action, the Examiner justifies combining *King* and *LeMole* on the grounds that the systems disclosed in both *King* and *LeMole* 1) are “directed to providing information related to a public space to a visitor” and 2) “have the capability to be connected to [the] [I]nternet.” Final Office Action Dated December 22, 2006, page 3. This high level relationship, by itself, is not sufficient to justify the combination of *King* of *LeMole*. More particularly, in the Final Action, the Examiner has not adequately described why one skilled in the art would be motivated to combine the facility-focused portable device of *King* with the web-based customized advertising arrangement of *LeMole*. Similarly, the Examiner has not, either implicitly or explicitly, identified any apparent reason why a person of ordinary skill in the art would combine *King* and *LeMole*. Accordingly, the combination of *King* and *LeMole* is not proper and the rejection should be withdrawn.

**B. *King* and *LeMole* fail to disclose or suggest all of the claim elements**

Even if *King* and *LeMole* are combined, they simply do not render the pending claims obvious because neither *King* nor *LeMole*, alone or in proper combination, suggest or disclose all of the claim limitations. Although *King* discloses receiving an input from a user, *King* does not disclose or suggest associating any such input with the user. Rather, the input received is, at best, associated with the device from which the input is received, so that location-specific information can be transmitted to the device when the device is within the facility. See Col. 7,



lines 6-13. Moreover, *King* is concerned solely with transmitting information within a facility and does not disclose or suggest transmitting information to a user after the user has visited the facility and when the user is outside of the facility.

Conversely, the concept of sending advertising as disclosed in *LeMole* is not based on an input received when “a visitor is in the public space,” as recited in the independent claims. In fact, *LeMole* makes no reference to a public space, but rather discloses an information transaction that occurs solely via the Internet or via standard mail. *See* Col. 4, lines 36-39. Moreover, the advertising information transmitted in *LeMole* is not sent based on received input associated with a particular public space element, as recited in the independent claims. Rather, the targeted advertising is based on demographic data, subject areas of interest and/or previous websites visited, not a specific public space element. *See* Col. 4, lines 29-31 and col. 5, lines 32-34.

Accordingly, considering the separate nature of those communications occurring within a public space and those communications occurring outside of the public space, neither *King* nor *LeMole*, alone or in proper combination, disclose or suggest all of the elements recited in the claims. Moreover, in the Final Action, the Examiner did not identify with any specificity what portions of *LeMole* are directed towards the specific claim limitations analyzed herein, thus the rejection fails under 37 C.F.R. § 1.104 (c)(2), which requires:

When a reference is complex or shows or describes inventions other than that claimed by the applicant, *the particular part relied on must be designated as nearly as practicable*. The pertinence of each reference, if not apparent, must be clearly explained and each rejected claim specified. (emphasis added).

Although the above arguments pertain to all of the pending claims, separate arguments for particular groupings of claims are provided below.

**1.      *Claims 21 – 25, 27 and 28 are patentable over King and LeMole***

Unlike independent claim 21, neither *King* nor *LeMole*, alone or in proper combination, disclose or suggest “sending supplemental information to the visitor when the visitor is outside of the public space based on the received input . . .” wherein the received input is: 1) received when the visitor is in the public space, 2) relates “to one of the plurality of public space elements” AND 3) includes “a unique identifier associated with the visitor.” Rather, any information in *King* that may be considered “supplemental” is sent only when the recipient of the information is located within the facility. As discussed above, although *LeMole* discloses sending information based on a user profile, such user profiles are not received when the “visitor is in the public space,” but are rather transmitted either on-line or via standard mail. *See* Col. 4, lines 20-39. Moreover, the user profiles disclosed in *LeMole* are distinguished from the “received input” as recited in claim 21 because such profiles are based on the user’s interests, demographic data, and preferred suppliers of products and/or services (*see e.g.*, Col. 4, lines 47-56) and are not related any particular “public space element.”

Accordingly, the Appellant respectfully submits that independent claim 21 and its dependent claims are patentable over *King* and *LeMole*.

**2.      *Claims 29 – 33 are patentable over King and LeMole***

Unlike independent claim 29, neither *King* nor *LeMole*, alone or in proper combination, disclose or suggest “receiving, within the public space, an electronic response . . . including . . . information associated with a piece of supplemental information from the one or more pieces of

supplemental information and with address information related to the visitor.” Rather, *King* fails to disclose or suggest any communications including information to identify the user. As discussed above, the user profile disclosed in *LeMole* is not received within the public space visited by the user. Moreover, the user profile disclosed in *LeMole* is not associated with a piece of “supplemental information about at least one of the plurality of public space elements,” but is rather associated only with demographics and general areas of interest.

Additionally, unlike independent claim 29, neither *King* nor *LeMole*, alone or in proper combination, disclose or suggest “receiving, from the visitor when the visitor is located outside of the public space, an electronic request for the piece of supplemental information.” Rather, the requests for information disclosed in *King* are received only when the user is located within the facility. Moreover, although the user in *LeMole* is outside of the “public space,” *LeMole* fails to disclose or suggest any step of receiving an electronic request for the piece of supplemental information (i.e., a particular piece of supplemental information about at least one of the plurality of public space elements). Rather, any request for information that may be disclosed by *LeMole* is based solely on a user profile and is not a request for a piece of supplemental information about a particular public space element, as recited in independent claim 29.

Accordingly, the Appellant respectfully submits that independent claim 29 and its dependent claims are patentable over *King* and *LeMole*.

**3.      *Claims 35 – 41 are patentable over King and LeMole***

Unlike independent claims 35 and 36, neither *King* nor *LeMole*, alone or in proper combination, disclose or suggest a method that includes receiving a supplemental information selection and/or a electronic input from a visitor when the visitor is in the public space that includes “visitor identification information.” Rather, as discussed above, *LeMole* discloses systems and methods for customized advertising and does not contemplate a receiving any electronic input from a visitor when the visitor is within a public space. Moreover, as discussed above, *King* does not disclose or suggest associating any such electronic input with the user.

Accordingly, the Appellant respectfully submits that independent claims 35 and 36, and the claims that depend therefrom, are patentable over *King* and *LeMole*.

**4.      *Claim 34 is patentable over King and LeMole***

Unlike independent claim 34, neither *King* nor *LeMole*, alone or in proper combination, disclose or suggest a system including a portable selection device and an internal information transmission system “configured to receive an input from the portable selection device, the input including a unique identifier associated with the visitor and an identifier associated with an element within the public space.” More particularly, although *King* discloses a portable selection device (e.g., a PDA), *King* fails to disclose or suggest that such PDAs can provide any input to an internal information transmission system, much less an input including “a unique identifier associated with the visitor and an identifier associated with an element within the public space.” Rather, when the user selects a particular location-specific message using the PDA disclosed in *King*, the PDA responds by retrieving a message stored internally within the memory of the PDA. *See e.g.*, Col. 5, lines 26-32. Although *King* discloses that such internally-stored

messages can be supplemented by wirelessly downloading additional content (*see* Col. 7, lines 33-38), *King* fails to disclose or suggest that a portable selection device that provides an input to an internal information transmission system that includes either a “unique identifier associated with the visitor” or “an identifier associated with an element within the public space,” as recited in independent claim 34.

Additionally, *LeMole* fails to disclose a portable selection device. Rather, as discussed above, *LeMole* discloses a method of providing custom advertising in which advertising is transmitted to the user based on a user profile. Even if the transmission of data within the user profile is construed as an input received from a portable selection device, such input is not associated with “an identifier associated with an element within the public space,” as recited in independent claim 34.

Accordingly, the Appellant respectfully submits that independent claim 34 is patentable over *King* and *LeMole*.

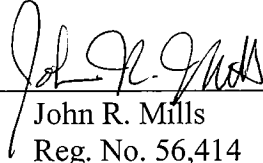
### VIII. CONCLUSION

For the foregoing reasons, the Appellant respectfully requests the Board of Patent Appeals and Interferences reverse the Examiner and remand this application for issuance.

Date: 14-MAY-2007

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**CLAIMS APPENDIX**

1. – 20. (Canceled)

21. (Previously presented) A method of supplementing an experience of a visitor to a public space, the public space including a plurality of public space elements and information relating to the plurality of public space elements, the method comprising:

receiving an input relating to one of the plurality of public space elements from a visitor when a visitor is in the public space, the received input including a unique identifier associated with the visitor;

receiving a request for supplemental information from the visitor when the visitor is outside of the public space; and

sending supplemental information to the visitor when the visitor is outside of the public space based on the received input and the received request.

22. (Previously presented) The method of claim 21 wherein said receiving an input includes receiving an electronic transmission from the visitor while the visitor is in the public space.

23. (Previously presented) The method of claim 22 further comprising electronically transmitting selection information to the visitor while the visitor is in the public space and wherein said input is selected from the transmitted selection information

24. (Previously presented) The method of claim 23 wherein said input is one of a bookmark, a keystroke and a response to a query.

25. (Previously presented) The method of claim 21 wherein said input is one of a bookmark, a keystroke and a response to query.

26. (Canceled)

27. (Previously presented) The method of claim 21 wherein said sending includes identifying supplemental information from an information database based on the received input; and
- transmitting the identified supplemental information to the visitor via a data transmission network extending beyond the public space.
28. (Previously presented) The method of claim 27 wherein the transmitted supplemental information includes one or more links to additional supplemental information.
29. (Previously presented) A method for providing information about a public space element in a public space to a visitor after the visitor has left the public space, the method comprising:
- transmitting electronically, within the public space, information about a plurality of public space elements, wherein the transmitted information includes selection information that designates one or more pieces of supplemental information about at least one of the plurality of public space elements;
- receiving, within the public space, an electronic response to the transmitted information, said electronic response including visitor selection information associated with a piece of supplemental information from the one or more pieces of supplemental information and with address information related to the visitor;
- receiving, from the visitor when the visitor is located outside of the public space, an electronic request for the piece of supplemental information;
- retrieving the piece of supplemental information in response to the received electronic request; and
- sending electronically the retrieved piece of supplemental information to a communications network extending beyond the public space using the address information.
30. (Previously presented) The method of claim 29 wherein the electronic response includes one of a bookmark, a keystroke and a response to a query.



31. (Previously presented) The method of claim 29 wherein the transmitted information includes audio content relating to the public space element.

32. (Previously presented) The method of claim 31 wherein the transmitted information further includes text content relating to the public space element.

33. (Previously presented) The method of claim 29 wherein said selection information comprises text content.

34. (Previously presented) A system configured to provide information about one or more elements in a public space to a visitor to the public space after the visitor has left the public space, comprising;

a portable selection device including a first transceiver,

an internal information transmission system including a second transceiver, said first and said second transceivers forming a bi-directional data path between said portable selection device and said internal information transmission system within the public space, the internal information transmission system being configured to receive an input from the portable selection device, the input including a unique identifier associated with the visitor and an identifier associated with an element within the public space;

a database in communication with said internal information transmission system, the database configured to include information associated with the element within the public space; and

an external information transmission system in communication with said database and a data network external to the public space, said external information transmission system configured to send the information included within the database from said database to the data network in response to the input received from the portable selection device and a request from the visitor when the visitor is outside of the public space.

35. (Previously presented) A method for supplying supplemental information about public space elements in a public space to a visitor after the visitor has left the public space, the method comprising:

- receiving an electronic request for first information about a public space element from a visitor in the public space;

- transmitting electronically said first information to the visitor in the public space;

- receiving an electronic supplemental information selection from the visitor in the public space;

- associating visitor identification information with said electronic supplemental information selection;

- receiving an electronic inquiry from the visitor after the visitor has left the public space;

- responding to said electronic inquiry with supplemental information selected based on the received electronic supplemental information selection associated with visitor identification information corresponding to the visitor from whom the electronic inquiry was received.

36. (Previously presented) A method of supplementing an experience of a visitor to a public space, comprising:

- receiving an electronic input relating to an element within the public space from a visitor while the visitor traverses the public space;

- associating the received input with identification information associated with the visitor;

- receiving an electronic request for additional information from the visitor after the visitor has left the public space, said electronic request including identification of the visitor;

- transmitting a response to said electronic request wherein said response is based, in part, on the received input associated with the identification information related to the visitor.

37. (Previously presented) The method of claim 36 wherein said receiving includes receiving a wireless electronic signal generated from a portable handheld device that traverses the public space with the visitor.

38. (Previously presented) The method of claim 37 wherein said receiving includes receiving the wireless electronic signal over a first network having transmission capabilities limited to the public space.

39. (Previously presented) The method of claim 38 wherein said receiving said electronic request and said transmitting a response are executed over a second network different from said first network.

40. (Previously presented) The method of claim 39 wherein the received input comprises an electronic bookmark.

41. (Previously presented) The method of claim 40 wherein the public space is one from the group of a museum, a gallery or an exhibition.

**EVIDENCE APPENDIX**

**NONE**

**RELATED PROCEEDINGS APPENDIX**

**NONE**

324535 v1/RE